

ORIGINAL

RECEIVED

MAY - 8 2001

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

JUN 20 2001

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOCAL 144 NURSING HOME PENSION
FUND, On Behalf of Itself and All Others
Similarly Situated,

Plaintiff,

vs.

ORACLE CORPORATION, et al.,

Defendants.

No. C-01-0988-MJJ

CLASS ACTION

~~PROPOSED~~ ORDER GRANTING THE
MOTION TO CONSOLIDATE RELATED
ACTIONS

1 1. This Court, having considered Movants' Motion to Consolidate Related Actions, for
2 good cause shown, hereby ORDERS as follows:

3 2. The following actions are consolidated for all purposes, including, but not limited to,
4 discovery, pretrial proceedings and trial proceedings pursuant to Rule 42(a) of the Federal Rules of
5 Civil Procedure:

Abbreviated Case Name	Case No.	Date
<i>Local 144 Nursing Home Pension Fund v. Oracle Corp., et al.</i> ("Local 144")	C-01-0988-MJJ	03/09/01
<i>Bielanski v. Oracle Corp., et al.</i>	C-01-1001-MJJ	03/09/01
<i>Yaish, et al v. Oracle Corp., et al.</i>	C-01-1237-MJJ	03/12/01
<i>Birnbaum v. Oracle Corp., et al.</i>	C-01-1011-MJJ	03/12/01
<i>Haenel v. Oracle Corp., et al.</i>	C-01-1036-MJJ	03/13/01
<i>Berdakina v. Oracle Corp., et al.</i>	C-01-1030-MJJ	03/13/01
<i>Lowinger, et al. v. Oracle Corp.</i>	C-01-1040-MJJ	03/13/01
<i>Azerrad v. Oracle Corp., et al.</i>	C-01-1047-MJJ	03/13/01
<i>Walanka v. Oracle Corp., et al.</i>	C-01-1048-MJJ	03/13/01
<i>Greenblatt v. Oracle Corp., et al.</i>	C-01-1097-MJJ	03/16/01
<i>Gollomp v. Oracle Corp., et al.</i>	C-01-1113-MJJ	03/19/01
<i>Goldfein v. Oracle Corp., et al.</i>	C-01-1160-MJJ	03/21/01
<i>Gordon v. Oracle Corp., et al.</i>	C-01-1174-MJJ	03/22/01
<i>Tuchman v. Oracle Corp., et al.</i>	C-01-01263-MJJ	03/28/01
<i>Rothsholder v. Oracle Corp., et al.</i>	C-01-1036-MJJ	03/28/01
<i>Monderer v. Oracle Corp., et al.</i>	C-01-1289-JL	03/30/01
<i>Farrell, et al. v. Oracle Corp., et al.</i>	C-01-1326-JCS	04/03/01
<i>Salvo v. Oracle Corp., et al.</i>	C-01-1416-EDL	04/10/01
<i>Hart, et al. v. Oracle Corp., et al.</i>	C-01-1436-EDL	04/11/01

6 3. The docket in Civil Action No. C-01-0988-MJJ shall constitute the Master Docket
7 for this action.

4. Every pleading filed in the consolidated action shall bear the following caption:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ORACLE CORPORATION SECURITIES) Master File No. C-01-0988-MJJ
LITIGATION)

This Document Relates To:)

CLASS ACTION

5. This file in Civil Action C-01-0988-MJJ shall constitute a Master File for every action in the consolidated action. When the document being filed pertains to all actions, the phrase "All Actions" shall appear immediately after the phrase "This Document Relates To." When a pleading applies only to some, not all, of the actions, the document shall list, immediately after the phrase "This Document Relates To," the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action.

6. All related actions that are subsequently filed in, or transferred to, this district shall be consolidated into this action. This Order shall apply to every such action, absent order of the Court. A party that objects to such consolidation, or to any other provisions of this Order, must file an application for relief from this Order within ten days after the date on which a copy of the Order is mailed to the party's counsel.

7. The parties shall file a notice of related case whenever a case that should be consolidated into this action is filed in, or transferred to this district. The Clerk shall:

- (a) place a copy of this Order in the separate file for such action;
- (b) serve on plaintiffs' counsel in the new case a copy of this Order;
- (c) direct that this Order be served upon defendants in the new case; and
- (d) make the appropriate entry in the Master Docket.

8. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

9. Plaintiffs represent that the first notice of pendency of these cases was published on or about March 9, 2001, and thereafter in widely circulated national business-oriented publications,

1 in compliance with the requirements of §21D(a)(3) of the Private Securities Litigation Reform Act
2 of 1995.

3 10. Plaintiffs shall file a consolidated complaint not later than 45 days after the filing of
4 the Court's Order appointing a lead plaintiff and lead counsel in this action. The parties will meet
5 and confer to propose to the Court a briefing schedule and hearing date for defendants' response to
6 the consolidated complaint. Defendants need not respond to any of the individual actions
7 consolidated into this action.

8 * * *

9 **ORDER**

10 IT IS SO ORDERED.

11 DATED: 6/19/2001

12 
13 THE HONORABLE MARTIN J. JENKINS
14 UNITED STATES DISTRICT COURT JUDGE

15 Submitted by:

16 DATED: May 8, 2001

17 MILBERG WEISS BERSHAD
18 HYNES & LERACH LLP
19 WILLIAM S. LERACH
20 MARK SOLOMON
21 DOUGLAS R. BRITTON

22 Mark Solomon/crs.
23 MARK SOLOMON

24 600 West Broadway, Suite 1800
25 San Diego, CA 92101
26 Telephone: 619/231-1058
27 619/231-7423 (fax)

28 [Proposed] Lead Counsel for Plaintiffs

G:\CASES\Oracle3\DRD81670.ord

[PROPOSED] ORDER GRANTING THE MOTION TO CONSOLIDATE RELATED
ACTIONS - C-01-0988-MJJ